



Atty Docket No.: KEJR5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Johnny R. Kennedy, Sr.

Docket No.: KEJR5001

Serial No.: 10/705,583

Group Art Unit: 3636

Filed: 11/10/2003

Examiner: Milton Nelson, Jr.

Customer No: 029889

Confirmation No: 4287

For: SEAT BELT ASSEMBLY SYSTEM

**RESPONSE WITH TRAVERSE TO ELECTION/RESTRICTION
REQUIREMENT AND REQUEST FOR RECONSIDERATION AND
AMENDMENT**

Assistant Commissioner for Patents
Mail Stop Fee Amendment
PO Box 1450
Alexandria, VA 22313-1450

December 3, 2004

Dear Sir:

This is a response to the Office Action of October 15, 2004 . A restriction/election requirement was made in this office action which stated that the application contained four patentably distinct species of the claimed invention: Group 1, Figure 3; Group 2, Figure 4; Group 3, Figure 5; and Group 4, Figure 6. Claims 1-27 are pending.

Applicant's attorney called Examiner Nelson on November 22, 2004 to discuss the restriction requirement mailed on October 15, 2004. Applicant's attorney indicated that the embodiments of Figure 3 and 4 were intended to represent a single embodiment with Figure 4 showing plural copies of the embodiment. Examiner Nelson advised Applicant's attorney to present reasons for traversal with a written response to the restriction requirement. This formal written reply to the last office action hereby includes the substance of the interview pursuant to MPEP Section 713.04.

Group 1 is provisionally elected with traverse. Applicant respectfully disagrees with the requirement for restriction and requests reconsideration and withdrawal of the restriction requirement. Applicant respectfully traverses the restriction on the basis that the groups as

described above are not patentably distinct from one another. Specifically Applicant states that Group 1 and Group 2 represent the singular and multiple versions of the same invention respectively. Group 1, as depicted by Figure 3, is a pictorial view of the invention showing a seat belt ready seat frame with a single seat belt system. Figure 4 shows a pictorial view of a seat belt ready seat frame with multiple seat belt systems of the type shown in Figure 3. The seat belt attachment system used in both Figure 3 and Figure 4 are the same system. Figures 3 and 4 both illustrate a seat belt assembly system with a retractor belt (60 in Figure 3 and 160 a, b, and c in Figure 4); a tongue connector at the distal end of the retractor belt (65 in Figure 3 and 165 a, b, and c in Figure 4); a multi-connecting lap and shoulder belt (70 in Figure 3 and 170 a, b, and c in Figure 4); a Y-junction at the distal end of the multi-connecting lap and shoulder belt (75 in Figure 3 and 175 a, b, and c in Figure 4); wherein the Y-junction contains both a buckle (76 in Figure 3 and 176 a, b, and c in Figure 4), which connects to the aforesaid tongue connector (65 in Figure 3 and 165 a, b and c in Figure 4); the Y-junction also contains a tongue connector (77 in Figure 3 and 177 a, b, and c in Figure 4) which releasably attaches to a buckle connector (85 in Figure 3 and 185 a, b, and c in Figure 4) located at the distal end of single lap belt (80 in Figure 3 and 180 a, b, and c in Figure 4). Therefore, Applicant respectfully argues that Group 1 and Group 2 are not distinct separate inventions but represent the singular and multiple examples of the same invention.

In addition, Applicant respectfully argues that the seat belt systems illustrated by Figure 5 (Group 3) and Figure 6 (Group 4), a clasp connector system and a dual buckle system on a Y junction connector, respectively, are described by generic independent claims that read on both Group 3 and 4. Both Group 3 and 4 are claimed as dependent claims of broad generic independent claims. Group 3 is claimed in dependent claims 7, 9, 11, 19 and 26. Group 4 is claimed in dependent claims 12, 13, and 27. Both Group 3 and Group 4 illustrate examples of alternative seat belt systems that could be used in retrofitting a seat belt ready seat frame that are claimed by independent claims 1, 14, 17, 22 and 24. Applicant notes that Group 1, 2, 3 and 4 all represent seat belt systems that are assigned to Examiner's art unit. In view of the foregoing, Applicant respectfully requests that the requirement be withdrawn upon reconsideration.

The designation of claims as to grouping is as follows:

Independent claim 1 – Group 1

Dependent claim 2 – Group 1

Dependent claim 3 – Group 1

Dependent claim 4 – Group 1
Dependent claim 5 – Group 1
Dependent claim 6 – Group 1
Dependent claim 7 – Group 3
Dependent claim 8 - Group 1
Dependent claim 9 – Group 3
Dependent claim 10 - Group 1
Dependent claim 11 – Group 3
Dependent claim 12 – Group 4
Dependent claim 13 – Group 4
Independent claim 14 – Group 1
Dependent claim 15 – Group 1
Dependent claim 16 – Group 2
Independent claim 17 – Group 1
Dependent claim 18 – Group 2
Dependent claim 19 – Group 3
Dependent claim 20 – Group 1
Dependent claim 21 – Group 1
Independent claim 22 – Group 1
Dependent claim 23 – Group 2
Independent claim 24 – Group 1
Dependent claim 25 – Group 1
Dependent claim 26 – Group 3
Dependent claim 27 – Group 4 (after amendment to correct typographical error)